

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 51-59 are pending in this application. Claims 1-50 and 60 are canceled without prejudice or disclaimer and Claims 51-59 are amended by the present amendment. As amended Claims 51-59 are supported by the original claims, no new matter is added.

In the outstanding Official Action, Claim 50 was objected to; Claims 50-59 were rejected under 35 U.S.C. §101; Claims 50, 54, 56-57 and 60 were rejected under 35 U.S.C. §102(b) as anticipated by Parulski et al. (U.S. Patent No. 5,633,678, herein "Parulski"); Claims 51-53 and 55 were rejected under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Endsley et al. (U.S. Patent No. 6,005,613, herein "Endsley"). Claims 58 and 59 were indicated as containing allowable subject matter.

Applicants acknowledge with appreciation the indication that Claims 58 and 59 include allowable subject matter.

Initially, applicants and applicants' representative thank Primary Examiner Ye for the interview held on July 22, 2005 to discuss the present case. During the interview, differences between the claimed invention and the cited references were discussed in detail, and amendments as submitted herein were discussed to clarify the discussed differences. The Examiner agreed to reconsider the rejections of record after formal submission of the present amendment.

With regard to the rejection of Claims 50-59 under 35 U.S.C. §101, Claim 50 is canceled and Claims 51-59 are amended to recite a "recording medium for storing a program executed by a computer." Accordingly, the rejection of Claims 51-59 under 35 U.S.C. §101 is believed to be overcome.

With regard to the rejection of Claims 54, 56, and 57 under 35 U.S.C. §102(b) as anticipated by Parulski, that rejection is respectfully traversed.

Amended Claim 54 recites a recording medium for storing a program executed by a computer, the program comprising, *inter alia*:

creating an image capture guide list which is displayed on the screen of said display device for said image input apparatus, and includes at least one of image titles that represent targets to be recorded and are used for shooting, wherein the creating comprises,  
    displaying a spreadsheet input screen consisting of a plurality of cells;  
    inputting an image title in one of the cells on the input screen;  
    specifying at least one of the cell positions where image titles have been input; and  
    creating an image capture guide list including the image title(s) on the specified cell position(s).

In contrast, Parulski describes a digital camera including a categorization feature wherein *file folders* are created and labeled with a category.<sup>1</sup> It is respectfully submitted that Parulski does not teach “displaying a spreadsheet input screen consisting of a plurality of cells,” nor “inputting an image title in one of the cells on the input screen,” as recited in amended Claim 54. The outstanding Office Action cited Figure 7 of Parulski as describing the subject matter of original Claim 54.<sup>2</sup> However, it is respectfully submitted that Parulski clearly describes that Figure 7 is a display of the *result* of the described categorization process using file folders, not a display of the categorization process itself.<sup>3</sup> Further, Figure 7 of Parulski does not illustrate a spreadsheet input screen consisting of a plurality of cells. Accordingly, it is respectfully submitted that Parulski does not teach the claimed “displaying” or “inputting” elements recited in amended Claim 54. As Parulski does not teach each and every element of Claim 54, Claim 54 is not anticipated by Parulski and is patentable thereover.

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<sup>1</sup>See Parulski, column 4, one 56 to column 5, line 8.

<sup>2</sup>See outstanding Office Action, page 4, line 19 to page 5, line 4.

<sup>3</sup>See Parulski, column 3, lines 24-25 and column 7, lines 23-26.

Amended independent Claims 56 and 57 recite similar elements to Claims 54.

Consequently, it is respectfully submitted that Claims 56 and 57 are patentable over Parulski for at least the reasons described above with respect to Claim 54.

With regard to the rejection of Claims 51-53 under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Endsley, that rejection is respectfully traversed.

Amended Claim 51 recites a recording medium for storing a program executed by a computer, the program comprising, *inter alia*:

creating an image capture guide list which is displayed on the screen of said display device for said image input apparatus, and includes at least one of image titles that represent targets to be recorded and are used for shooting, wherein the creating includes reading out a manufacturer's model identifier from said image input apparatus connected to said computer and creating the image capture guide list adequate for the model.

Endsley describes a digital camera including registers 72 that store a plurality of configuration parameters, such as those listed in Table 1 of Endsley. The configuration parameters are sent to a host computer 12. However, Endsley does not teach or suggest that a ***manufacturer's model identifier*** is either stored in a register 72 or sent to host computer 12. Accordingly, it is respectfully submitted that Endsley does not teach or suggest "creating an image capture guide list" as recited in amended Claim 51. Further, it is respectfully submitted that Parulski does not teach or suggest this element either.<sup>4</sup> Accordingly, as the cited references do not, either alone or in combination, teach or suggest each and every element of Claim 51, Claim 51 is patentable over the cited references.

As amended independent Claims 52 and 53 also recite a "manufacturer's model identifier," Claims 52 and 53 are believed to be patentable over Parulski and Endsley for at least the reasons described above with respect to Claim 51.

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<sup>4</sup>At page 6, lines 6-9, the outstanding Office Action cited Endsley as describing the "model name information" recited in original Claim 51.

Amended independent Claim 55 recites a recording medium for storing a program executed by a computer, the program comprising, *inter alia*:

- creating an image capture guide list which is displayed on the screen of said display device for said image input apparatus, and includes at least one of image titles that represent targets to be recorded and are used for shooting, wherein the creating comprises,
  - displaying a spreadsheet input screen consisting of a plurality of cells;
  - inputting an image title and a shooting instruction item for this image title in respective cells on the input screen;
  - specifying at least one of the cell positions where image titles have been input; and
  - creating an image capture guide list including the image title(s) in the specified cell positions and the shooting instruction item(s) for the image titles.

Page 7, lines 11-15, of the outstanding Office Action cited Figure 3A of Endsley as describing “inputting an image title and a shooting instruction item for this image title in respective cells on the input screen.” However, it is respectfully submitted that Figure 3A only illustrates an icon 60 for entering adjustments to camera parameters such as those shown in Table 1 of Endsley. As neither image title nor shooting instructions are listed in Table 1 of Endsley, and neither image titles nor shooting instructions are shown in Figure 3A of Endsley, it is respectfully submitted that Endsley does not teach or suggest “displaying” or “inputting” as recited in amended Claim 55. Further, as discussed above with respect to Claim 54, Parulski does not teach or suggest these elements either. Consequently, it is respectfully submitted that Claim 55 is also patentable over any combination of Parulski and Endsley.

Accordingly, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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